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# Kluwer Patent Blog

## Patent case: Bohrhilfe für Zahnimplantat, Germany

Volker Tillmann (Hoffmann Eitle) · Thursday, June 28th, 2018

According to the FCJ, when it comes to the question of whether a particular solution was obvious to the skilled person, it is irrelevant whether a different solution was more obvious. In the present case, it was decisive that two options were available for the skilled person, both of which were suitable for the purpose defined in the prior art. This was sufficient motivation for the skilled person to at least also consider the claimed solution.

Case date: 11 January 2018

Case number: X ZR 38/16

Court: Federal Court of Justice of Germany

A full summary of this case has been published on [Kluwer IP Law](#).

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